

IC 20-1-6.1

Chapter 6.1. Special Education; Ongoing Adult Services

IC 20-1-6.1-1

"Annual case review"

Sec. 1. As used in this chapter, "annual case review" means the meeting of the case conference committee that is conducted annually to review and, if needed, revise a student's individualized education program.

As added by P.L.22-1991, SEC.8. Amended by P.L.272-1999, SEC.54.

IC 20-1-6.1-2

"Case conference committee"

Sec. 2. As used in this chapter, "case conference committee" means a group composed of public agency personnel, parents, the student, if appropriate, and others at the discretion of the public agency or the parent and under rules adopted by the board that meets to do any of the following:

- (1) Determine a student's eligibility for special education and related services.
- (2) Develop, review, or revise a student's individualized education program.
- (3) Determine an appropriate educational placement for each student.

As added by P.L.22-1991, SEC.8. Amended by P.L.272-1999, SEC.55.

IC 20-1-6.1-3 Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-3.1

"Transition services"

Sec. 3.1. (a) As used in this chapter, "transition services" means a coordinated set of activities for a student with a disability, designed within an outcome oriented process, that promotes movement from the public agency to postsecondary school activities, including postsecondary education, vocational training, integrated employment (including supported employment), continuing and adult education, adult services, independent living, or community participation.

(b) The coordinated set of activities described in subsection (a) must:

- (1) be based on the individual student's needs, taking into account the student's preferences and interests; and
- (2) include the following:

- (A) Instruction.
- (B) Related services.
- (C) Community experiences.
- (D) The development of employment and other postsecondary school adult living objectives.
- (E) Where appropriate, acquisition of daily living skills and a functional vocational evaluation.

As added by P.L.272-1999, SEC.56.

IC 20-1-6.1-3.2

"Public agency"

Sec. 3.2. As used in this chapter, "public agency" means a public or private entity that has direct or delegated authority to provide special education and related services, including the following:

- (1) Public school corporations that operate programs individually or cooperatively with other school corporations.
- (2) Community agencies operated or supported by the office of the secretary of family and social services, state developmental centers operated by the division of disability, aging, and rehabilitative services, and state hospitals operated by the division of mental health and addiction.
- (3) State schools and programs operated by the state department of health.
- (4) Programs operated by the department of correction.
- (5) Private schools and facilities that serve students referred or placed by a public school corporation, the division of special education, the division of family and children, or other public entity.

As added by P.L.272-1999, SEC.57. Amended by P.L.215-2001, SEC.95.

IC 20-1-6.1-4

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-5

"Adult services"

Sec. 5. As used in this chapter, "adult services" refers to services that are provided by public agencies and other organizations to facilitate student movement from the public agency to adult life and provide services to enhance adult life. The term includes services provided by a vocational rehabilitation services program, the department of workforce development, the federal Social Security Administration, the bureau of developmental disabilities services, a community mental health center, a community rehabilitation

program, and an area agency on aging.

As added by P.L.22-1991, SEC.8. Amended by P.L.272-1999, SEC.58.

IC 20-1-6.1-6

"Special education planning district"

Sec. 6. As used in this chapter, "special education planning district" means the public school administrative unit responsible for providing special education and related services in a specified geographic area. The term includes one (1) public school corporation or more than one (1) public school corporation that operates under a written agreement.

As added by P.L.22-1991, SEC.8. Amended by P.L.272-1999, SEC.59.

IC 20-1-6.1-7

"Student with disabilities"

Sec. 7. As used in this chapter, "student with disabilities" means a student identified, evaluated, and enrolled in special education under IC 20-1-6.

As added by P.L.22-1991, SEC.8.

IC 20-1-6.1-8

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-9

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-10

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-11

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-12

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-13

Adult services written materials

Sec. 13. (a) The division of disability, aging, and rehabilitative

services, the division of mental health and addiction, and the department of workforce development shall provide each school corporation with written material describing the adult services available to students and the procedures to be used to access those services.

(b) The material shall be provided in sufficient numbers to allow each student and, if the student's family is involved, each student's family to receive a copy at the annual case review if the purpose of the meeting is to discuss transition services.

As added by P.L.22-1991, SEC.8. Amended by P.L.2-1992, SEC.700; P.L.40-1994, SEC.73; P.L.272-1999, SEC.60; P.L.215-2001, SEC.96.

IC 20-1-6.1-14

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-15

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-16

Repealed

(Repealed by P.L.272-1999, SEC.66.)

IC 20-1-6.1-17

Review of services and presentation of information on services

Sec. 17. The case conference committee shall review, based on areas addressed in the statement of transition services, the available adult services provided through state and local agencies and present information on those services in writing to the student and the parent.

As added by P.L.272-1999, SEC.61.

IC 20-1-6.1-18

Review of transition age students

Sec. 18. (a) Upon obtaining authorization to disclose confidential information, the public agency and the vocational rehabilitation counselor shall confer at least one (1) time per year to review transition age students.

(b) If the public agency and the vocational rehabilitation counselor believe a student may be eligible for and benefit from vocational rehabilitation services, the public agency shall do the following:

- (1) Provide adequate notice to the vocational rehabilitation counselor regarding the annual case review to be conducted during the school year before the student's projected final year

of school. The notification to the vocational rehabilitation counselor must include the name, address, age, and reported disability of the student for whom the annual case review is being conducted.

(2) At the annual case review, verbally advise and provide written materials to the student and the parent that describe the array of vocational rehabilitation services that may be available and the process to access those services.

(c) The vocational rehabilitation counselor shall do the following:

(1) Attempt to attend the annual case review for which the counselor has been notified under subsection (b)(1).

(2) Determine with the student and family when an application for vocational rehabilitation services will be completed and eligibility determined. However, the application must be completed not later than the beginning of the last semester of the student's last year of receiving services by the public agency.

(3) If the student has been determined eligible for vocational rehabilitation services, complete the individual plan for employment (IPE) before the student's exit from the public agency.

(4) Provide written information and be available on a consultative basis to public agency personnel, students, and families to assist in identifying appropriate transition services.

(5) Perform the duties of advocate and consultant to the student and, where appropriate, to the student's family.

(6) Promote communication with the student and family by attending appropriate student activities, including, upon invitation, case conferences, career days, family and student forums, and other consultative services on behalf of the student.

As added by P.L.272-1999, SEC.62.

IC 20-1-6.1-19

Monitoring compliance with chapter requirements

Sec. 19. (a) The division of special education shall monitor public agency compliance with the requirements of this chapter as part of the division's ongoing program monitoring responsibilities.

(b) The division of disability, aging, and rehabilitative services shall monitor vocational rehabilitation services' compliance with the requirements of this chapter.

(c) The division of special education and the division of disability, aging, and rehabilitative services shall confer, at least annually, to review compliance with the requirements of this chapter and to ensure that students with disabilities are receiving appropriate and timely access to services.

As added by P.L.272-1999, SEC.63.